

Chapter 9.24

OFFENSES BY OR AGAINST MINORS

Sections:

9.24.010 Curfew.

9.24.020 Purchase or acceptance of gift of liquor by persons under twenty-one - Identification cards -- Punishment -- Exceptions.

9.24.010 Curfew.

A. It is unlawful for a person less than 17 years of age to be present at or upon any public assembly, building, place, street or highway between 12:01 a.m. and 6:00 a.m. Saturday, between 12:01 a.m. and 6:00 a.m. Sunday, and between 11:00 p.m. on Sunday through Thursday, inclusive, and 6:00 a.m. on the following day; except if one of the following apply:

1. The person is accompanied and supervised by a parent, legal guardian, or other responsible companion at least 18 years of age approved by a parent or legal guardian; or,
2. The person is engaged in a business or occupation which the laws of this state authorize a person less than 17 years of age to perform.

B. It is unlawful for a person between the ages of 7 and 15, inclusive, other than a person who has been suspended or expelled from school, to be at any place within the city except in attendance at school during normal school hours on a school day during the regular school term.

C. It is unlawful for a person below the age of 7 and over the age of 15 and who are enrolled in any of grades one through twelve in any public, private or parochial school, other than a person who has been suspended or expelled from school, to be at any place within the city except in attendance at school during normal school hours on a school day during the regular school term.

D. Subsections B and C above shall not apply to persons who are not in attendance at school under the following circumstances:

1. The person is accompanied and supervised by a parent, legal guardian, or other responsible companion at least 18 years of age approved by a parent or legal guardian and the absence would be approved by the public, private or parochial school in which such person is enrolled.
2. The person is engaged in a business or occupation which the laws of this state authorize a person less than 17 years of age to perform; or,

3. The person is not registered or enrolled in any public, private or parochial school.

E. It is unlawful for a person between the ages of 7 and 15 years of age, inclusive, who has been suspended or expelled from school to be present at or upon any public assembly, building, place, street, or highway during normal school hours during any school day during the regular school term unless accompanied and supervised by a parent, legal guardian or other responsible companion at least 18 years of age approved by a parent or legal guardian or unless engaged in a business or occupation which the laws of the state authorize a person less than 17 years of age to perform.

F. It is unlawful for a person over the age of 15 years of age and enrolled in any of

grades one through twelve in any public, private or parochial school, who has been suspended or expelled from school to be present at or upon any public assembly, building, place, street, or highway during normal school hours during any school day during the regular school term unless accompanied and supervised by a parent, legal guardian or other responsible companion at least 18 years of age approved by a parent or legal guardian or unless engaged in a business or occupation which the laws of the state authorize a person less than 17 years of age to perform.

G. It is unlawful for a parent, legal guardian or other person to knowingly permit a person in his or her custody or control to violate any provision of this section. The term "knowingly" includes knowledge that a parent, legal guardian or other person should reasonably be expected to have concerning the whereabouts of a juvenile in the parent, legal guardian or other person's custody or control.

H. Any individual who receives a citation to appear in court for a violation of subsection A, B or C above, shall have a parent or legal guardian present during any hearing concerning such citation. A person convicted of a violation of any provision of this section shall be punished as provided in Chapter 1.12, except that neither a person who has been made a ward of the court under the Juvenile Court Act of 1987 nor that person's legal guardian shall be subject to any fine. In addition to or instead of the fine imposed by this section, the Court may order a parent, legal guardian or other person convicted of a violation of subsection C to perform community service as determined by the Court, except that the legal guardian or parent of a person who has been made a ward of the court under the Juvenile Court Act of 1987 may not be ordered to perform community service.

I. If any division, sentence, clause, phrase or portion of this section is, for any reason, held invalid or unconstitutional, such portions shall be deemed a separate, distinct, and independent provision and such decision shall not affect the validity of the remaining portions hereof. (Ord. 2001-5 § 1, 2001)

9.24.020 Purchase or acceptance of gift of liquor by persons under twenty-one -- Identification cards -- Punishment -- Exceptions. Any person to whom the sale, gift or delivery of any alcoholic liquor is prohibited because of age shall not purchase, or accept a gift of such alcoholic liquor, or have such alcoholic liquor in his possession.

If a licensee or his agents or employees believes or has reason to believe that a sale or delivery of any alcoholic liquor is prohibited because of the nonage of the prospective recipient, he shall, before making such sale or delivery, demand presentation of some form of positive identification, containing proof of age, issued by a public officer in the performance of his official duties.

No person shall transfer, alter or deface such an identification card; use the identification card of another; carry or use a false or forged identification card; or obtain an identification card by means of false information. No person shall purchase, accept delivery or have possession of alcoholic liquor in violation of this section. The consumption of alcoholic liquor by any person under twenty-one years of age is forbidden. Whoever violates any provisions of this section shall be punished as provided in Chapter 1.12.

The possession and dispensing, or consumption by a minor of alcoholic liquor in the

performance of a religious service or ceremony, or the consumption by a minor under the direct supervision and approval of the parents or parent of such minor in the privacy of a home; is not prohibited by this section. (Ord. 83-6, 1982).